

**NOTICE OF EXEMPTION**

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Public Works Department

RECEIVED

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

2023 FEB 15 P 2:42  
COUNTY OF SANTA BARBARA  
CLERK OF THE  
BOARD OF SUPERVISORS

APN(s) : Various Case No: Not Applicable

Location: Montecito Community Plan area in the First Supervisorial District

**Project Title:** Montecito Flood Control Master Plan, Phase I

**Project Description:**

The Montecito Flood Control Master Plan, Phase I focuses on developing a feasible improvement plan to improve flood conveyance and debris management for the Montecito area. While several debris basin projects have received grants and have been completed or are under development, this master plan would seek to determine if and where additional debris control projects would be feasible.

The above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Article 18, Statutory Exemptions Section 15262 Feasibility and Planning Studies and CEQA Article 19, Categorical Exemption, Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities.

Name of Public Agency Approving Project: County of Santa Barbara Flood Control District

Name of Person or Agency Carrying Out Project: County of Santa Barbara Flood Control District

Division

**Exempt Status: (Check one)**

- Ministerial
- Statutory Exemption
- Categorical Exemption
- Emergency Project
- Declared Emergency

**Cite specific CEQA and/or CEQA Guideline Section:**

CEQA Article 18, Statutory Exemptions Section 15262 Feasibility and Planning Studies and CEQA Article 19, Categorical Exemption, Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities.

**Reasons to support exemption findings:**

The Montecito Flood Control Master Plan, Phase I is a data and information gathering tool in support of developing a planning strategy for flood conveyance and debris management. The Board has not approved, funded, or adopted any future actions as this study is for planning and feasibility purposes only.

The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource. Therefore, the above listed exemptions apply to this action.

State CEQA Guidelines Section 15262 requires the consideration of "environmental factors" in approving a feasibility study. As noted above, the development of the Montecito Flood Control Master Plan, Phase I, will not result in any physical changes to the environment. Should the District in the future approve any specific debris control project identified in the Plan, that project will undergo separate environmental review consistent with the requirements of CEQA. Recent debris basin projects have identified potentially significant, but mitigable impacts in the areas of aesthetics, biological resources, geologic processes, hazardous materials/risk of upset, noise, and recreation. The potential environmental impact of any future project would be considered on a case-by-case basis.

The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- (a) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource; therefore, this exception does not apply.

- (b) **Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource. Therefore, this exception does not apply.

- (c) **Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource; therefore, this exception does not apply

- (d) **Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**


The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource; therefore, this exception does not apply

- (e) **Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

The Montecito Flood Control Master Plan, Phase I does not result in a disturbance to any environmental resource; therefore, this exception does not apply

Lead Agency Contact Person: Andrew Raaf Phone #: (805) 722-7250

Department/Division Representative: Andrew Raaf Date: January 13, 2023

Signature: 

Acceptance Date: \_\_\_\_\_

Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35-day statute of limitations on legal challenges.

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Date Filed by County Clerk



# 2023 CEQA Transmittal Memorandum

County of Santa Barbara - Clerk of the Board of Supervisors

105 E. Anapamu St. Room 407 • Santa Barbara • CA • 93101

(805) 568-2240

Complete this form when filing a Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report or Notice of Exemption.

You will need to submit one original for posting plus one copy for the Department of Fish & Wildlife. A scanned copy including the date/time of posting will be emailed to the Lead Agency and Project Applicant. If you would like a return copy, please submit an extra copy along with a pre-addressed, stamped envelope.

Contact Person <b>Tom Fayram</b>		Phone <b>805-568-3440</b>	
Lead Agency <b>Santa Barbara County Flood Control &amp; Water Conservation District</b>		Lead Agency Email <b>tfayram@countyofsb.org</b>	
Project Title <b>Montecito Flood Control Master Plan</b>			
Project Applicant <b>Walter Rubalcava</b>	Email <b>wrubalc@countyofsb.org</b>	Phone <b>805-568-3436</b>	
Project Applicant Address <b>130 E. Victoria Street, STE 200</b>	City <b>Santa Barbara</b>	State <b>CA</b>	Zip <b>93101</b>

### DOCUMENT BEING FILED:

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Environmental Impact Report (EIR) .....

2023 Filing Fee .....\$3,839.25

Previously Paid (must attach receipt) ..... \$0.00

No Effect Determination (must be attached)..... \$0.00

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Negative Declaration or Mitigated Negative Declaration .....

2023 Filing Fee .....\$2,764.00

Previously Paid (must attach receipt) ..... \$0.00

No Effect Determination (must be attached)..... \$0.00

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Notice of Exemption ..... \$0.00

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County Administrative Handling Fee (required for all filings, effective 7/19/18) ..... \$50.00

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TOTAL: \$ 50.00

**PAYMENT METHOD: ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING**

Cash     Credit Card     Check # \_\_\_\_\_     Journal Entry # 0244165

(in person only)

# Journal Entry

Document Number: JE - 0244165  
 Document Description: CEQA FEE- MONTECITO FC MASTER PLAN  
 Post On: 1/22/2023

Batch ID: 2739824  
 Processed On:  
 Processed By:

Created On: 1/22/2023 12:27:52 PM  
 Created By: Cindy Gonzalez

## References

Audit Trail: Cash Type: I - Interfund

## Accounting

Fund	Dept	GL Acct	LI Acct	Debit Amount	Credit Amount	Prog	Unit	Proj	Act	Area	Equip	Depositor	Description
2610	054	2810	7546	50.00		3001		SC2301					CEQA FEE-MONTECITO FLOOD CONTROL MASTER PLAN
2610		0110			50.00								CEQA FEE-MONTECITO FLOOD CONTROL MASTER PLAN
0001		0110		50.00									CEQA FEE-MONTECITO FLOOD CONTROL MASTER PLAN
0001	012	2710	5746		50.00	4020							CEQA FEE-MONTECITO FLOOD CONTROL MASTER PLAN
			Total	100.00	100.00								

## Signatures

Signed By: Cindy Gonzalez  
 Approval Level: 054-Public Works  
 Department/Agency-Fund Group: 1/22/2023 12:36:40 PM  
 Signed On: Y



State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

A-7-B

**Print**    **StartOver**    **Save**

RECEIPT NUMBER:  
 42 — 02/15/2023 — 020  
 STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Santa Barbara County Flood Control & Water Conserv	LEAD AGENCY EMAIL tfrayram@countyofsb.org	DATE 02/15/2023
COUNTY/STATE AGENCY OF FILING Santa Barbara	DOCUMENT NUMBER	

PROJECT TITLE  
 Montecito Flood Control Master Plan

PROJECT APPLICANT NAME Walter Rubalcava	PROJECT APPLICANT EMAIL wrubalc@countyofsb.org	PHONE NUMBER (805) 568-3436
PROJECT APPLICANT ADDRESS 130 E. Victoria Street, STE 200	CITY Santa Barbara	STATE CA
		ZIP CODE 93101

PROJECT APPLICANT (Check appropriate box)

Local Public Agency     School District     Other Special District     State Agency     Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,839.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,764.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,305.25	\$	0.00

- Exempt from fee
- Notice of Exemption (attach)
  - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash     Credit     Check     Other

TOTAL RECEIVED    \$    50.00

SIGNATURE <b>X</b>	AGENCY OF FILING PRINTED NAME AND TITLE Brianda Negrete, Deputy Clerk
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State of California - Department of Fish and Wildlife  
**2023 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

**NOTICE**

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

**COUNTY DOCUMENTARY HANDLING FEE**

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

**COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS**

**Filing Notice of Determination (NOD):**

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

**Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))**

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

**The county clerk shall mail the following documents to CDFW on a monthly basis:**

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

**DOCUMENT RETENTION**

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

**RECEIPT NUMBER**

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

**DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.**

**Mail to:**

California Department of Fish and Wildlife  
 Accounting Services Branch  
 P.O. Box 944209  
 Sacramento, California 94244-2090